

Exhibit 33

MICHELLE HAZEN on 10/16/2017

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE EASTERN DISTRICT OF VIRGINIA
3 Richmond Virginia
4 -----X
5 LULA WILLIAMS, ET AL. ON BEHALF
6 OF THEMSELVES AND ALL OTHER
7 SIMILARLY SITUATED INDIVIDUALS,
8 Plaintiffs, Civil Action No.
9 v. 3:17-CV-461 (REP)
10 BIG PICTURE LOANS, LLC, ET AL.,
11 Defendants.
12 -----X
13
14 Deposition of MICHELLE HAZEN
15 October 16, 2017
16 10:18 a.m.
17
18 Troutman Sanders, LLP
19 1850 Towers Crescent Plaza, Suite 500
20 Tysons Corner, Virginia 22182
21
22 Lisa R. Barbera JOB NO. 182180

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1 Q. And was he also a comanager of Red Rock
2 Tribal Lending with you? Actually, I'll withdraw my
3 question.

4 Do you know if Mr. Williams or Craig
5 Mansfield were a comanager of Red Rock Tribal
6 Lending with you?

7 A. I don't recall.

8 Q. Okay. When did you become a comanager or
9 CEO of the tribal lending entities?

10 MR. GRAY: Objection to the form. Can you
11 clarify which entities?

12 MS. KELLY: Either one.

13 THE WITNESS: Can you repeat your
14 question? I'm sorry.

15 BY MS. KELLY:

16 Q. At what time did you get involved with
17 either of the tribal lending entities, either as a
18 CEO or comanager?

19 A. 2011.

20 Q. And in 2011, which tribal lending entity
21 were you involved with?

22 A. Red Rock Tribal Lending.

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1 Can you walk me through when you -- can
2 you walk me through how the tribe -- I'm going to
3 strike -- withdraw that.

4 Whose idea was it for -- to create Big
5 Picture Loans?

6 A. The tribe's.

7 Q. Who in the tribe, specifically?

8 A. Tribal council.

9 Q. Which specific tribal council member
10 brought it up?

11 A. What was your question?

12 Q. Which specific tribal council member
13 brought it up?

14 A. I don't recall.

15 Q. Do you recall when the idea was first
16 mentioned?

17 A. I don't specifically recall.

18 Q. So how do you know it was the tribe's
19 idea?

20 A. Because I was on the tribal council and
21 part of the discussions.

22 Q. Okay. Tell me which discussions you can

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1 recall?

2 A. There was several discussions as far as a
3 long-term economic development plan and the fact
4 that we need to diversify in economic development.

5 Q. Why wasn't Red Rock and Duck Creek
6 providing you with the economic development that you
7 needed and why did you feel like you needed to
8 create Big Picture Loans?

9 A. To further our economic development
10 efforts.

11 Q. How would the creation of Big Picture
12 Loans further it?

13 A. It would help us reach our long-term goals
14 of self-sufficiency and self-determination for our
15 tribal members.

16 Q. So was Red Rock and Duck Creek not meeting
17 your long-term goals for self-sufficiency?

18 A. They were contributing to the government
19 budget to help us provide essential government
20 services to our people.

21 Q. What percentage contribution would you
22 receive on a monthly basis from Red Rock Tribal

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1 Lending out of the revenue?

2 A. 2 percent of the gross.

3 Q. Okay. And when Big Picture Loans was
4 created, what percentage of the revenue would the
5 tribe end up receiving from the proceeds of Big
6 Picture Loans?

7 A. I'm sorry, can you repeat your question?

8 Q. Sure. What percentage of the revenue
9 would the tribe receive when Big Picture Loans was
10 created?

11 MR. GRAY: Objection to the form,
12 "revenue."

13 BY MS. KELLY:

14 Q. It's the same measure of revenue as Red
15 Rock. What was the percentage that the tribe would
16 receive from Big Picture?

17 A. It was gross -- or 2 percent of the gross
18 revenue minus bad debt, expenses, and then a
19 2 percent reinvestment into Big Picture Loans.

20 Q. Okay. So it was the same 2 percent of the
21 gross revenue as Red Rock, but there was also a
22 2 percent reinvestment into Big Picture Loans;

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1 it just take it at any time?

2 A. It was reinvested into the portfolio.

3 Q. And so if the tribe needed money, and BPL
4 had money in its portfolio, could the tribe take it
5 at any time?

6 A. I don't know. That never happened.

7 Q. Okay. Who picked the name "Big Picture
8 Loans"?

9 A. It was kind of a group discussion, idea.

10 Q. Who suggested the name "Big Picture
11 Loans"? Who did you first hear that name from?

12 A. I don't recall.

13 Q. Okay. Who was in the group when you
14 picked the name "Big Picture Loans"?

15 A. I don't recall. I just know I was part of
16 that conversation at some point.

17 Q. Do you know when that was?

18 A. Before Big Picture was formed.

19 Q. When did the tribe decide to create Big
20 Picture Loans?

21 A. I don't recall.

22 Q. And you don't recall whose idea it was to

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1 to acquire our vendors' businesses so the lending
2 would be more profitable."

3 How does the acquisition of lenders'
4 businesses lead to lending being more profitable?

5 A. Bringing things in-house so we're not
6 using third parties.

7 Q. How have you -- how has Big Picture
8 brought things in-house?

9 A. With the employees of Ascension
10 Technologies, doing the marketing, risk modeling and
11 data analytics, IT.

12 Q. Are any employees or -- are any employees
13 of Ascension members of the tribe?

14 A. Of which tribe?

15 Q. Of the Lac Vieux Desert Band of Lake
16 Superior Chippewa Indians?

17 A. Well, the comanagers are.

18 Q. Right. Are any of the employees?

19 A. No.

20 Q. Okay. Do you get paid at all for being
21 the comanager of Ascension?

22 A. No.

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1 A. Yes.

2 Q. And then -- at the bottom, there's SOAs.

3 Do you see that?

4 A. Yes.

5 Q. What does that stand for?

6 A. Senior quality assurance.

7 Q. And do you know where those individuals
8 are located?

9 A. St. Croix.

10 Q. So those people are not located at the
11 call center; is that correct?

12 A. Yes.

13 Q. Do you know where the 269 call center
14 employees are located?

15 A. Philippines.

16 Q. Okay. And then below that, you see junior
17 QAs. Do you see that?

18 A. Yes.

19 Q. And there's eight of those people listed.
20 Do you know where those junior QAs are located?

21 A. St. Croix.

22 MS. KELLY: Okay. Mark this, please.

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1 mischaracterization of testimony.

2 THE WITNESS: No. After the application
3 is completed, that underwriting -- step number
4 two in the underwriting.

5 BY MS. KELLY:

6 Q. Okay. What's the underwriting process?

7 A. It's -- it's a decision engine where all
8 of the models, that are approved by Big Picture
9 Loans, are put into a decision engine.

10 Q. Right. But it's an automated process.

11 A. Yes.

12 Q. When I type my information in on the
13 website, and I put it all in, a decision is made and
14 then the loan agreement pops up and then I scroll
15 through it; right?

16 MR. GRAY: Objection to form.

17 THE WITNESS: Yes.

18 BY MS. KELLY:

19 Q. And I check the box to sign my name;
20 right?

21 MR. GRAY: Asked and answered.

22 THE WITNESS: Yes.

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1 BY MS. KELLY:

2 Q. And none of that is handled by Big Picture
3 employees because it is an automated process;
4 correct?

5 MR. GRAY: Objection.

6 Mischaracterization.

7 THE WITNESS: Yes.

8 BY MS. KELLY:

9 Q. Okay. And so after a consumer signs the
10 loan agreement, Big Picture then checks the document
11 to make sure it looks right and calls to verify
12 their bank information; correct?

13 MR. GRAY: Objection. That's a
14 mischaracterization of testimony. It's asked
15 and answered already.

16 THE WITNESS: Can you repeat the question?

17 BY MS. KELLY:

18 Q. Sure. After I sign the agreement, it then
19 goes to Big Picture employees on tribal land to look
20 over the agreement, make sure everything's in the
21 right spot, and verify the bank information I
22 provided?

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1 MR. GRAY: Same objection.

2 THE WITNESS: Yes.

3 BY MS. KELLY:

4 Q. Do any employees that are not located on
5 the reservation, ever call the banks to verify bank
6 information?

7 MR. GRAY: Objection to form.

8 THE WITNESS: Yes.

9 BY MS. KELLY:

10 Q. Which employees do that?

11 A. The call center.

12 Q. The call center in the Philippines?

13 A. Yes.

14 Q. And is that done by other CSRs?

15 MR. GRAY: Objection, form.

16 THE WITNESS: By other CSRs? What do you
17 mean, in the Philippines?

18 BY MS. KELLY:

19 Q. Other -- yes. CSRs located in the
20 Philippines. Is that the job title that handles
21 that, a customer service representative?

22 A. Yes.

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1 Q. Okay. How many -- in terms of a breakdown
2 on at monthly basis, there's 10,000, on average,
3 loans originated, or loans that are accepted -- let
4 me rephrase that.

5 There's approximately 10,000 loans on
6 average a month. Of those 10,000, how many would
7 the employees on tribal land call to verify the bank
8 information for versus employees located elsewhere?

9 MR. GRAY: Objection to form and
10 mischaracterizes testimony.

11 THE WITNESS: I don't know.

12 BY MS. KELLY:

13 Q. Do you have any idea what percentage the
14 employees on tribal land -- what percentage they
15 handle versus what the percentage in the other
16 offices handle?

17 MR. GRAY: Asked and answered.

18 THE WITNESS: Off the top of my head, no.

19 BY MS. KELLY:

20 Q. So looking at your declaration, paragraph
21 30, we just went over the process for taking out a
22 loan online. And so items A, B, and C, are all part